

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Agropur, Inc.,

Plaintiff/Counter-  
Defendant,

**Case No. 17-cv-1247 (JNE/SER)**

v.

**ORDER**

The Scoular Company,

Defendant/Counter-  
Claimant.

The Scoular Company,

Third-Party Plaintiff,

v.

Southeast Bottling & Beverage Company,

Third-Party  
Defendant.

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STEVEN E. RAU, United States Magistrate Judge

This case comes before the Court on Defendant The Scoular Company's ("Scoular") Motion for Further Consideration of Sealing [Doc. No. 101], which the Court grants.

"There is a common law right of access to judicial records, which includes the public's right to access documents that are submitted to the Court and that form the basis for judicial decisions." *Skky, LLC v. Facebook, Inc.*, 191 F. Supp. 3d 977, 980 (D. Minn. 2016) (Wright, J.) (internal quotation marks omitted). "This right of access is not absolute, but requires a weighing of competing interests." *Webster Groves Sch. Dist. v. Pulitzer Publ'g Co.*, 898 F.2d 1371, 1376 (8th Cir. 1990). Specifically, this Court "must consider the degree to which sealing a judicial record

would interfere with the interests served by the common-law right of access and balance that interference against the salutary interests served by maintaining confidentiality of the information sought to be sealed.” *IDT Corp. v. eBay*, 709 F.3d 1220, 1223 (8th Cir. 2013).

Scoular seeks the sealing of one document [Doc. No. 75] that was submitted in connection with its Motion for Partial Summary Judgment [Doc. No. 72]. (Scoular’s Mem. of Law in Supp. of Mot. for Further Consideration of Sealing) [Doc. No. 102 at 1–2]. The parties recently agreed to settle this case. *See* (Minute Entry Dated Aug. 16, 2018) [Doc. No. 109]. Therefore, the Motion for Partial Summary Judgment will not be adjudicated by the Court, and the sealed document will not be used in a judicial decision. Accordingly, the public’s right to access the sealed document is limited. *See Krueger v. Ameriprise Fin., Inc.*, No. 11-cv-2781 (SRN/JSM), 2014 WL 12597948, at \*9 (D. Minn. Oct. 14, 2014) (Mayeron, Mag. J.) (“[O]nly those documents that are relevant to and integrally involved in the resolution of the merits of a case are judicial records to which the presumption of public access attaches.”). Therefore, the Court grants Scoular’s motion.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that Defendant The Scoular Company’s Motion for Further Consideration of Sealing [Doc. No. 101] is **GRANTED**.

Dated: August 20, 2018

s/Steven E. Rau  
STEVEN E. RAU  
United States Magistrate Judge